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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 FRANCISCO RINCONES AYALA,

11 Petitioner

12 v.

13 UNITED STATES OF AMERICA,

14 Respondent.  
15

Case No. CR03-5659 FDB  
C07-5103 FDB

AMENDED ORDER SETTING  
ANSWER DATE

16  
17 Petitioner has filed a Petition under 28 U.S.C. § 2255 to vacate, set aside, or correct his  
18 sentence because (1) the mandatory minimum sentence was imposed after the Court incorrectly  
19 assumed that the Defendant was statutorily ineligible for Safety Valve relief and (2) the mandatory  
20 minimum sentence was imposed due to ineffective assistance of counsel for having failed to explain  
21 and argue Defendant's eligibility for Safety Valve. Pursuant to Rule 4 of the Rules Governing §  
22 2255 petitions, the Court sets a briefing schedule as follows:

23 Respondent's Answer is due no later than April 30, 2007;

24 Petitioner's Reply is due no later than May 15, 2007;  
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26 ORDER - 1

1 The Clerk shall note this matter on the Court's calender for May 18, 2007.

2 SO ORDERED.

3 DATED this 21<sup>st</sup> day of March, 2007.

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8 FRANKLIN D. BURGESS  
9 UNITED STATES DISTRICT JUDGE  
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